



Response Under 37 CFR § 1.116
Expedited Procedure
Examining Group 1600
Patent Application
Serial No. 09/242,772
Atty. Docket No. 3374-990278

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art 1637 :
In re application of :
Willem J.M. VAN DE VEN et al. :
Serial No. 09/242,772 :
Filed June 25, 1999 :
Examiner Alexander H. Spiegler :

PLAG GENE FAMILY AND
TUMORIGENESIS

Pittsburgh, Pennsylvania
November 6, 2002

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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Box AF
Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated August 6, 2002 of the Primary Examiner finally rejecting claims 28, 29, 32-35 and 47-49.

Pursuant to 37 CFR § 1.17(b), a check in the amount of \$320.00 is enclosed herewith to cover the cost of filing the Notice of Appeal. A response to the outstanding Final Office Action is filed concurrently herewith.

11/14/2002 BABRAHA1 00000034 09242772

01 FC:1401 (W0028355.1)

320.00 CP

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. on November 6, 2002

Ellen Harteau

Signature

11/6/2002
Date

The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. 23-0650 or refund any overpayment to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Notice of Appeal are enclosed.

Respectfully submitted,

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